



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Lowell P. Braxton
Division Director

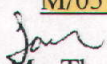
1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

January 24, 2001

CERTIFIED RETURN RECEIPT
7000 0520 0021 7582 8425

Lon Thomas
Star Stone Quarries, Inc.
4040 South 300 West
Salt Lake City, Utah 84107

Re: Response to Division Order of December 20, 2000, Star Stone Quarries, Inc., Heber Quarry,
M/051/001, Wasatch County, Utah.


Dear Mr. Thomas:

Thank you for your initial response to the Division's December 20, 2000 Order, which was a result of the informal public hearing held on November 20, 2000 in Heber, Utah. This Order had six conditions identified A thru F.

Condition A - requires that a \$60,800 reclamation surety (as determined September 14, 2000) be posted within 30 days (due January 19, 2001).

In response to this condition, you indicated that the surety company, Holmes Organization, Inc., is in the process of preparing the surety, but cannot meet the deadline. You requested a time extension for providing the surety until February 15, 2001.

The Division *will grant* the requested extension with the following stipulation:

- The surety and the reclamation contract (Division Form MR-RC) must be finalized by February 15, 2001. This will necessitate that draft copies of the surety and reclamation contract be submitted by February 5-6, 2001, to assure that these documents can be finalized by **February 15, 2001.**

Please note: If the surety is not finalized by February 15, 2001, all mining related activities, including the removal of stone from the site, must terminate after February 15, 2001, until the required surety arrangements are finalized. The Division may also proceed with further enforcement action as deemed appropriate.

Condition B - requires the permit area boundary be marked with metal fence posts within 30 days.

Your response requested an extension until the snow is gone from the site.

The Division concurs with this request and will grant an extension until **May 1, 2001** to mark the perimeter of the permit. Please notify the Division at least one week prior to establishing the perimeter so that we can be present to assure that the boundary is properly marked.

Condition C - requires a blasting protocol be developed within 30 days which will adequately warn nearby residents of the applicant's intent to blast within the Heber Quarry

You provided a generic blasting protocol in your response.

We have prepared several suggested revisions to your proposed blasting protocol which are attached.

Condition D - requires the operator to publish a notice of its intention to conduct a meeting to review and describe the blasting protocol with the interested public.

Your response requests that this meeting be held closer to the 'high' season so that everyone will be more familiar with the procedures. You state that in no case will blasting occur until after this public meeting has taken place.

This public meeting should take place after the Division has tentatively approved your proposed blasting protocol. Public input at the meeting may demonstrate a need to revise the plan before final Division approval is granted. The public meeting must be scheduled *within 30 days of our tentative approval decision* on your blasting protocol, but **no later than May 1, 2001**.

Condition E - did not require a response from the operator at this time.

The Division is reviewing the Mining and Reclamation Plan to insure that off-site sedimentation control is adequate to meet the needs of Part 40-8-12(2) of the Utah Mined Land Reclamation Act. An onsite inspection to address the public concern will be performed by Division staff when weather conditions are favorable to perform this assessment. We will notify you of our assessment and findings. If necessary, an amendment to your Mining and Reclamation Plan may be required to provide additional sedimentation control for protection of offsite impacts.

Condition F - requires the operator meet with Wasatch County Planning and Zoning Department to determine what activities are necessary to achieve compliance with Wasatch County's ordinances and requirements. The Division is to be notified of the date, time and place of this meeting.

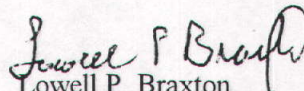
Your response indicates that this meeting has been scheduled for February 1, 2001 at 10:00 a.m. in Heber.

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Lon Thomas
M/051/001
January 24, 2001

Once the meeting occurs, this condition will be completely resolved. No additional information is required at this time to satisfy this condition.

Thank you for your response to the conditions of the Division's December 20, 2000 Order. If you have any questions or concerns regarding this review, please contact Mary Ann Wright, Wayne Hedberg or Lynn Kunzler of my staff at (801) 538- 5306, 538-5286 or 538-5310, respectively.

Sincerely,


Lowell P. Braxton
Director

jb
Attachment: Blasting protocol (proposed revisions)
cc: Al Mickelsen, Wasatch County
Mary Ann Wright, DOGM
Wayne Hedberg, DOGM
Lynn Kunzler, DOGM
O:\thomas\heber hearing response

Attachment 1

PROPOSED REVISIONS TO BLASTING PROTOCOL

- ▶ Use a siren (instead of car horn), locate it near the trailer, to warn public of pending blast.
 - 20 minutes prior to blasting - sound siren 2 times for 3-5 seconds with 3-5 second interval between each warning.
 - 10 minutes prior to blasting - sound siren 3 times for 3-5 seconds with 5 second interval.
 - immediately prior to blasting - sound siren for 30 seconds, with blast occurring at the end of the signal.
 - Sound an "all clear" signal after the blasted area has been checked and cleared.
- ▶ Limit blasting to a set time block (e.g., blasting will only occur between the hours of 1-3 p.m.).
- ▶ No blasting on weekends or major holidays.
- ▶ Blasting should be done only by a certified blaster.
- ▶ Post blasting protocol and normal blasting time(s) on appropriately sized sign at entrance(s) to the mine property.

JB

DOGM

M/051/001

1/24/01

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LON THOMAS

STAR STONE QUARRIES INC

4040 S 300 W

SALT LAKE CITY UT 84107

2. Article Number (Copy from service label)

7000 0520 0021 7582 8425

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

Robert Boya

B. Date of Delivery

1/26/01

C. Signature

X

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes☒ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

UNITED STATES



- Sender: Please print your name, address, and ZIP+4 in this box •

RECEIVED

JAN 29 2001

DIVISION OF

OIL, GAS AND MINING

DIVISION
OF

OIL GAS & MINING

1504 W NORTH TEMPLE STE 1210

BOX 145801

SALT LAKE CITY UT 84114-5801